

The Deputy Director

Central Intelligence Agency



Washington, D.C. 20505

19 May 1978

*OLC 78 1691/c*  
*corrected copy*  
*OLC Rec'd Copy*  
*SID*

Honorable Dante B. Fascell, Chairman  
Subcommittee on International Operations  
Committee on International Relations  
House of Representatives  
Washington, D.C. 20515

Dear Mr. Chairman:

I would like to thank you for your letter of 8 May 1978 concerning the proposal for a Commission on Proposals for a Center for Conflict Resolution.

I am reassured to know that the problematic sentence in subsection 7(c) of H.R. 11383, now subsection 606(c) of H.R. 12598, the Foreign Relations Authorization Act, has been deleted. This sentence could have been construed as imposing a statutory duty on the Director of Central Intelligence, as head of the CIA, to furnish such information to the Commission as it may have deemed necessary to carry out its statutory functions. As I explained in my 28 April 1978 letter, such a statutory provision could have created a conflict with the Director's statutory responsibility to protect intelligence sources and methods (paragraph 102(d)(3) of the National Security Act of 1947, as amended; 50 U.S.C.A. 403(d)(3)). With the deletion, this problem is eliminated and the Director's sources and methods authority remains intact.

I sincerely appreciate your taking the time to notify me personally of the modification.

With kindest regards.

Sincerely,



✓ Frank C. Carlucci

STA



Washington, D.C. 20505

OLC RECORD COPY

19 MAY 1978

Honorable Dante B. Fascell, Chairman  
Subcommittee on International Operations  
Committee on International Relations  
House of Representatives  
Washington, D.C. 20515

Dear Mr. Chairman:

I would like to thank you for your letter of 8 May 1978 concerning the proposal for a Commission on Proposals for a Center for Conflict Resolution.

I am reassured to know that the problematic sentence in subsection 7(c) of H.R. 11383, now subsection 606(c) of H.R. 12598, the Foreign Relations Authorization Act, has been deleted. This sentence could have been construed as imposing a statutory duty on the Director of Central Intelligence, as head of the CIA, to furnish such information to the Commission as it may have deemed necessary to carry out its statutory functions. As I explained in my 28 April 1978 letter, such a statutory provision could have created a conflict with the Director's statutory responsibility to protect intelligence sources and methods (paragraph 102(d)(3) of the National Security Act of 1947, as amended; 50 U.S.C.A. 403(d)(3)). With the deletion, this problem is eliminated and the Director's sources and methods authority remains intact.

I sincerely appreciate your taking the time to notify me personally of the modification.

With kindest regards.

Sincerely,

SIGNED

Frank C. Carlucci

Distribution:

Orig - Addressee

1 - DCI

1 - DDCI

1 - ER

1 - OLC Subject

1 - OLC Chrono

CLEMENT J. ZARLOCKI, WIS., CHAIRMAN

L. H. FOUNTAIN, N.C.  
 DANTS B. FASCELL, FLA.  
 CHARLES C. DIGGS, JR., MICH.  
 ROBERT M. C. NIX, PA.  
 DONALD M. FRASER, MINN.  
 BENJAMIN S. ROSENTHAL, N.Y.  
 LEE M. HAMILTON, IND.  
 LESTER L. WOLFF, N.Y.  
 JONATHAN B. BINGHAM, N.Y.  
 GUS YATRON, PA.  
 MICHAEL HARRINGTON, MASS.  
 LEO J. RYAN, CALIF.  
 CARDISS COLLINS, ILL.  
 STEPHEN J. SOLARZ, N.Y.  
 HELEN S. MEYNER, N.J.  
 DON BONKER, WASH.  
 GERRY E. STODDS, MASS.  
 ANDY IRELAND, FLA.  
 DONALD J. PEASE, OHIO  
 ANTHONY C. BZILENSON, CALIF.  
 WYCHE FOWLER, JR., GA.  
 E (KIKI) DE LA GARZA, TEX.  
 GEORGE E. DANIELSON, CALIF.  
 JOHN J. CAVANAUGH, NEBR.

EDWARD J. DERWINSKI, ILL.  
 PAUL FINDLEY, ILL.  
 JOHN H. BUCHANAN, JR., ALA.  
 J. HERBERT BURKE, FLA.  
 CHARLES W. WHALEN, JR., OHIO  
 LARRY WINN, JR., KANS.  
 BENJAMIN A. GILMAN, N.Y.  
 TENNYSON GUYER, OHIO  
 ROBERT J. LAGOMARSINO, CALIF.  
 WILLIAM F. GOODLING, PA.  
 SHIRLEY M. PETTIS, CALIF.

JOHN J. BRADY, JR.  
 CHIEF OF STAFF

# Congress of the United States

## Committee on International Relations

House of Representatives

Washington, D.C. 20515

STAT

May 8, 1978

OLC #78-1691/B

Mr. Frank Carlucci  
 Deputy Director  
 Central Intelligence Agency  
 Washington, D. C. 20505

Dear Mr. Carlucci:

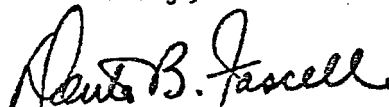
Thank you for your correspondence concerning the proposal for a Commission on Proposals for a Center for Conflict Resolution.

Section 7(c) of H.R. 11383 is now section 606(c) of the Foreign Relations Authorization Act. You are correct in assuming that that section was not intended to require disclosure of classified information protected from unauthorized disclosure by statute. To make that clear, the subcommittee has altered the section to read as follows: "The Commission may secure directly from any Federal agency information necessary to enable it to carry out this title."

I trust that this information will be of help to you. Again, thank you for conveying your concerns to me.

With kindest regards,

Sincerely,



Dante B. Fascell

Chairman

Subcommittee on International Operations

DBF:gsm

MA 2 2 11 11

UNCLASSIFIED CONFIDENTIAL SECRET

# EXECUTIVE SECRETARIAT

## Routing Slip

OLC

TO:		ACTION	INFO	DATE	INITIAL
1	DCI				
2	DDCI		✓		
3	D/DCI/IC				
4	DDS&T				
5	DDI				
6	DDA				
7	DDO				
8	D/DCI/NI				
9	GC				
10	LC	✓			
11	IG				
12	Compt				
13	D/Pers				
14	D/S				
15	DTR				
16	A/DCI/PA				
17	AO/DCI				
18	C/IPS				
19	DCI/SS				
20					
21					
22					

SUSPENSE \_\_\_\_\_ Date \_\_\_\_\_

Remarks:

To 10: For comment to DDCI

STAT

Executive Secretary

95TH CONGRESS  
2D SESSION

# H. R. 11383

IN THE HOUSE OF REPRESENTATIVES

MARCH 8, 1978

Mrs. MEYNER (for herself, Mr. BEDELL, Mr. OTTINGER, and Mr. YOUNG of Missouri) introduced the following bill; which was referred jointly to the Committees on International Relations and Education and Labor

# A BILL

**To establish a Commission on Proposals for a United States Academy for Peace and Conflict Resolution.**

1       *Be it enacted by the Senate and House of Representa-*  
2       *tives of the United States of America in Congress assembled,*

**3** **SHORT TITLE**

4       SECTION 1. This Act may be cited as the “United States  
5 Academy for Peace and Conflict Resolution Commission Act  
6 of 1978”.

## 7 STATEMENT OF FINDINGS

8      SEC. 2. The Congress finds that—

9 (1) conflict among individuals, communities, and  
10 nations is natural and unavoidable;

I—O

1           (2) conflict can be channeled into constructive  
2 progress or destructive disorder;

3           (3) the dangers and costs of destructive conflict  
4 throughout the world have been magnified by increasing  
5 competition for scarce resources, intensified contact and  
6 interdependence among peoples and nations, the pres-  
7 sures of population growth, and the increasingly sophis-  
8 ticated nature of modern weaponry;

9           (4) an imbalance exists in favor of the uses of  
10 power and military force rather than peace and concilia-  
11 tion as methods of conflict resolution;

12           (5) many conflicts are largely the result of mis-  
13 understanding, suspicion, and inadequate communication  
14 among the parties to the conflict;

15           (6) many destructive conflicts at the local, national,  
16 and international level have been resolved by the use of  
17 impartial mediation by third parties;

18           (7) the field of conflict resolution has become a  
19 respected and significant discipline within the social  
20 sciences in recent years;

21           (8) the techniques of conflict resolution are teach-  
22 able and usable;

23           (9) the primary reason why more conflicts are not  
24 resolved by mediation and conciliation is the scarcity of  
25 highly trained and experienced negotiators;

1           (10) an institute dedicated to the teaching of con-  
2       flict resolution techniques could help to fill this need;

3           (11) such an institute could also be useful in collect-  
4       ing data, coordinating research, and forwarding public  
5       education in the field of conflict resolution.

6                               ESTABLISHMENT

7       SEC. 3. There is established a commission to be known  
8       as the Commission on Proposals for a United States Academy  
9       for Peace and Conflict Resolution.

10                           DUTIES OF COMMISSION

11       SEC. 4. (a) The Commission shall undertake a study to  
12       consider—

13           (1) whether to establish a United States Academy  
14       for Peace and Conflict Resolution;

15           (2) the size, cost, and location of the Academy;

16           (3) the effects which the establishment of the Acad-  
17       emy would have on existing institutions;

18           (4) the relationship which would exist between  
19       the Academy and the Federal Government;

20           (5) the feasibility of making grants and providing  
21       other forms of assistance to existing institutions in lieu  
22       of, or in addition to, establishing the Academy; and

23           (6) alternative proposals, which may or may not  
24       include the establishment of the Academy, which would

1 assist the Federal Government in accomplishing the  
2 goal of promoting peace.

3 (b) In conducting the study required by subsection (a),  
4 the Commission shall—

5 (1) review the theory and techniques of peaceful  
6 resolution of conflict among nations; and

7 (2) study existing institutions which assist in re-  
8 solving conflict.

9 MEMBERSHIP

10 SEC. 5. (a) The Commission shall be composed of nine  
11 members as follows—

12 (1) three appointed by the President;

13 (2) three appointed by the Speaker of the House  
14 of Representatives; and

15 (3) three appointed by the President pro tempore  
16 of the Senate.

17 (b) Members shall be appointed for the life of the  
18 Commission.

19 (c) In appointing the members, priority shall be given  
20 to individuals with relevant experience in the field of con-  
21 flict resolution.

22 (d) A vacancy in the Commission shall be filled in the  
23 manner in which the original appointment was made.

24 (e) (1) Except as provided in paragraph (2), members



1 of the Commission each shall be entitled to receive compensa-  
2 tion not to exceed the daily equivalent of the annual rate of  
3 basic pay in effect for grade GS-18 of the General Schedule  
4 (5 U.S.C. 5332) for each day during which they are en-  
5 gaged in the actual performance of the duties of the Com-  
6 mission.

7 (2) Members of the Commission who are full-time  
8 officers or employees of the United States or Members of the  
9 Congress shall receive no additional pay on account of their  
10 service on the Commission.

11 (3) While away from their homes or regular places of  
12 business in the performance of services for the Commission,  
13 members of the Commission shall be allowed travel expenses,  
14 including a per diem in lieu of subsistence, in the same  
15 manner as persons employed intermittently in the Govern-  
16 ment service are allowed expenses under section 5703 (b) of  
17 title 5, United States Code.

18 (f) The Commission shall elect a Chairman and a Vice  
19 Chairman from among its members.

20 (g) Five members of the Commission shall constitute a  
21 quorum.

22 (h) The Commission shall meet at the call of the Chair-  
23 man or a majority of its members.

1 DIRECTOR AND STAFF OF COMMISSION: EXPERTS AND  
2 CONSULTANTS

3 SEC. 6. (a) Subject to such rules as may be adopted by  
4 the Commission, the Chairman, without regard to the provi-  
5 sions of title 5, United States Code, governing appointments  
6 in the competitive service and without regard to the provi-  
7 sions of chapter 51 and subchapter III of chapter 53 of such  
8 title relating to classifications and General Schedule pay rates,  
9 shall have the power to—

10 (1) appoint a Director who shall be paid at a rate  
11 not to exceed the rate of basic pay in effect for grade  
12 GS-18 of the General Schedule (5 U.S.C. 5332) ;

13 (2) appoint and fix the compensation of such staff  
14 personnel as he considers necessary; and

15 (3) procure temporary and intermittent services to  
16 the same extent as is authorized by section 3109 (b) of  
17 title 5, United States Code.

18 (b) Upon request of the Commission, the head of any  
19 Federal agency is authorized to detail, on a reimbursable  
20 basis, any of the personnel of such agency to the Commission  
21 to assist it in carrying out its duties under this Act.

22 POWERS OF COMMISSION

23 SEC. 7. (a) The Commission may, for the purpose of  
24 carrying out this Act, hold such hearings, sit and act at such  
25 times and places, take such testimony, and receive such evi-

1 dence as the Commission considers advisable. The Commis-  
2 sion may administer oaths and affirmations to witnesses  
3 appearing before the Commission.

4 (b) When so authorized by the Commission any mem-  
5 ber or agent of the Commission may take any action which  
6 the Commission is authorized to take by this section.

7 (c) The Commission may secure directly from any  
8 Federal agency information necessary to enable it to carry  
9 out this Act. [ Upon request of the Chairman, the head of  
10 any such Federal agency shall furnish such information to  
11 the Commission. ]

← language  
now deleted -

#### 12 REPORTS

13 SEC. 8. The Commission shall transmit to the President  
14 and to each House of the Congress such interim reports as  
15 it considers appropriate and shall transmit a final report to  
16 the President and to each House of the Congress not later  
17 than one year after the date on which appropriations first  
18 become available to carry out this Act. The final report shall  
19 contain a detailed statement of the findings and conclusions  
20 of the Commission, together with its recommendations for  
21 such legislation as it considers appropriate.

#### 22 TERMINATION

23 SEC. 9. The Commission shall cease to exist sixty days  
24 after transmitting its final report under section 8.

1. AUTHORIZATION OF APPROPRIATIONS

2 SEC. 10. There is authorized to be appropriated not to  
3 exceed \$500,000 for fiscal year 1979 to carry out this Act.  
4 Funds appropriated under this section are authorized to  
5 remain available until expended.

6 DEFINITIONS

7 SEC. 11. For purposes of this Act—

8 (1) the term "Academy" means a United States  
9 Academy for Peace and Conflict Resolution;

10 (2) the term "Chairman" means the Chairman of  
11 the Commission elected under section 5 (f) ;

12 (3) the term "Commission" means the Commission  
13 on Proposals for a United States Academy for Peace  
14 and Conflict Resolution; and

15 (4) the term "Federal agency" means any agency,  
16 department, or independent establishment in the execu-  
17 tive branch of the Federal Government, including any  
18 Government corporation.

95TH CONGRESS  
2D SESSION

# H. R. 11383

---

## A BILL

To establish a Commission on Proposals for a  
United States Academy for Peace and Con-  
flict Resolution.

---

By Mrs. MEYNER, Mr. BEDELL, Mr. OTTINGER,  
and Mr. YOUNG

---

MARCH 8, 1978

Referred jointly to the Committees on International  
Relations and Education and Labor

544

# ROUTING AND RECORD SHEET

SUBJECT: (Optional)

FROM:

[Redacted Box]

Acting Legislative Counsel

EXTENSION

[Redacted Box]

NO.

DATE

19 MAY 1978

TO: (Officer designation, room number, and building)

DATE

RECEIVED

FORWARDED

OFFICER'S INITIALS

COMMENTS (Number each comment to show from whom to whom. Draw a line across column after each comment.)

1.

DDCI

5/19/78 [Signature]

2.

3.

OLC (for Mailing)

4.

5.

6.

7.

8.

9.

10.

11.

12.

13.

14.

15.

Attached is a letter to you from Representative Dante B. Fascell, Chairman of the Subcommittee on International Operations on the House International Relations Committee, acknowledging receipt of your letter of 28 April 1978 concerning H.R. 11383, a bill to establish a "Commission on Proposals for a United States Academy for Peace and Conflict Resolution." (Also attached for your convenience.)

You will recall that the bill which was initially reviewed by our Legislation Staff, contained a provision which could have been construed to require CIA to disclose classified information otherwise protected from unauthorized disclosure by the DCI's statutory sources and methods authority. We raised the matter with appropriate Committee staff personnel. By means of our views letter and phone calls with staff personnel, we succeeded in getting the troublesome mandatory language of the bill deleted. This is reflected in paragraph two of Mr. Fascell's letter.

Attached also, for your signature, is a letter acknowledging receipt of the Chairman's letter and thanking him for his personal expression of concern.

[Redacted Signature Box]

Acting Legislative Counsel

19 MAY 1978

TO STAT: <span style="border: 1px solid black; padding: 2px;">[ ]</span>	DATE OF REQUEST	
FROM : <i>RJW signed 19 MAY 1978</i>	SUSPENSE DATE	
SUBJECT: Modifications to H.R. 11383, a Bill to Establish a "Commission on Proposals for a U.S. Academy for Peace and Conflict Resolution."		
NOTES <p>Attached for your signature is a pink buckslip transmitting to the DDCI Representative Fascell's 8 May letter re our requested modifications to H.R. 11383, a bill to establish a "Commission on Proposals for a U.S. Academy for Peace and Conflict Resolution."</p> <p>Per your recommendation you will also find attached for transmittal to Mr. Carlucci a letter to Chairman Fascell acknowledging receipt of the latter's 8 May correspondence and thanking Mr. Fascell for his personal expression of concern.</p> <p style="text-align: right;">RJW</p>		
COORDINATED WITH (list names as well as offices)		
NAME	OFFICE	DATE
NAME	OFFICE	DATE
NAME	OFFICE	DATE
NAME	OFFICE	DATE
ACTION REQUIRED BY GLC		
Sign buckslip going to DDCI.		